S.B.Cr.Misc. Bail App. No.5736/2007
(Sukhjeevan Singh @ Chetan Singh Vs. State of Raj.)

Date of order : 22.11.2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Chaitanya Gahlot for the petitioner.

Mr. Ashok Upadhyaya, Public Prosecutor.

Mr. M.K. Garg for the complainant.

Heard learned counsel for the petitioner and the Public Prosecutor for the State as well as the learned counsel for the complainant. Perused the order impugned as well as the challan papers.

It is contended by learned counsel for the petitioner that similarly situated co-accused Jasvinder Singh @ Jassa Singh has been granted bail by this Court. It is further contended that there are no allegation against the petitioner causing any injury to deceased Gurdeep Singh. The allegation of causing head injury to deceased Gurdeep Singh is against co-accused Chhinda Singh. So far as the present petitioner is concerned, allegation against him is that he inflicted injury to injured Makhan Singh, which is simple in nature. On perusal of the injury report of Makhan Singh, injury No.2 is assigned to present petitioner and on being examined by the radiologist, it was found to be simple as there was no bony injury.

Looking to the facts and circumstances of the case and the fact that the petitioner did not cause any injury to the deceased and the injury suffered by the injured is simple in nature, without commenting on the merit of the case, I consider it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Sukhjeevan Singh @ Chetan Singh s/o Niranjan Singh be released on bail in FIR No.75/2007 P.S. Gajsinghpur, District Sri Ganganagar, provided he executes a personal bond for a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

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